REMARKS/ARGUMENTS

The following request for reconsideration and remarks are submitted in response to the Office Action mailed October 21, 2003 (Paper No. 7) in connection with the above-identified application and are being filed within the three-month shortened statutory period set for a response by the Office Action.

Claims 1-72 are pending in the present application, and currently stand rejected. Applicants respectfully request reconsideration and withdrawal of the rejection of the claims based on the following remarks.

The Examiner has rejected claims 1-72 under 35 U.S.C. §102(e) as being anticipated by Downs et al. (U.S. Patent No. 6,574,609). Applicants respectfully traverse the §102(b) rejection.

Independent claim 1 recites a method of acquiring a digital license that authorizes rendering of corresponding digital content. The license is to be acquired upon a rendering application on a computing device requesting a digital rights management (DRM) system on the computing device for authorization for such rendering based on such license, and upon the DRM system notifying the rendering application that such license is not available on the computing device. In the method, the rendering application hosts a browser and causes the browser to navigate to a license server. A user is then allowed to communicate with the license server by way of the hosted browser to acquire the license. The license is received from the license server; and the hosting rendering application shuts down the hosted browser upon receiving the license.

Independent claim 25 recites the same subject matter as claim 1, although in the form of a computing device, and independent claim 49 recites the same subject matter as claim 1, although with slightly different claim language.

Thus, and as may be seen from the present application, the present invention is generally embodied as a rendering application and a DRM system on a computing device, where the rendering application renders content and the DRM system ensures that the rendering application has the right to render the content according to a license corresponding to the content. As may be appreciated, the rendering application may be a music player, a word processor, a video player, and the like, and rendering may comprise actions such as

displaying the content, printing the content, channeling the content to a viewer and/or speakers, and the like. In the event a license to render content is not available as determined by the DRM system, the rendering application hosts a browser and causes the browser to navigate to a license server where a user may interact with same to obtain a license. Significantly, with the rendering application hosting the browser, such browser may be incorporated into the look, feel, interface, and experience of the rendering application and the user is thus not disturbed or disoriented by the sudden appearance of a strange and un-commanded browser. Also, with the rendering application hosting the browser, the hosting rendering application can shut down such hosted browser upon receiving the license, and again the user is thus not disturbed or disoriented by the sudden disappearance of the browser.

The Downs reference discloses a rights management system whereby content is encrypted according to a first encryption key and the first encryption is in turn encrypted according to a second encryption key. As disclosed at column 7, lines 22-64 and at column 66, lines 22-67, a user in possession of the encrypted content can obtain the encrypted first encryption key from a clearinghouse that issues same in the form of a license or the like, where the encrypted first encryption key is decryptable by the user and thus the encrypted content is likewise decryptable by the user. However, and significantly, Applicants can find no specific disclosure in such column 7, lines 22-64, column 66, lines 22-67, or elsewhere in the Downs reference that a Downs rendering application hosts a browser and causes the browser to navigate to a license server, as is required by claim 1 et seq., or that upon receiving the license from the license server; the hosting rendering application shuts down the hosted browser, as is also required by claim 1 et seq.

Moreover, the Downs reference would not disclose same inasmuch as the Down reference is not at all concerned with incorporating a browser into the look, feel, interface, and experience of the rendering application such that the user is thus not disturbed or disoriented by the sudden appearance and disappearance of a strange and un-commanded browser, as is the case with the invention recited in claim 1 et seq. Thus, Applicants respectfully submit that the Downs reference does not anticipate claim 1 et seq., including dependent claims thereof.

Independent claim 14 also recites a method of acquiring a digital license that authorizes rendering of corresponding digital content. Here too, the license is to be acquired upon a rendering application on a computing device requesting a digital rights management (DRM) system on the computing device for authorization for such rendering based on such license. In the method, the DRM system attempts to silently acquire the license from a license server without the intervention of a user, and if the attempt to silently acquire the license fails, the DRM system allows a user to attempt to acquire the license from a license server by way of a browser hosted by the rendering application.

Independent claim 38 recites the same subject matter as claim 14, although in the form of a computing device, independent claim 60 recites the same subject matter as claim 1, although with slightly different claim language, and independent claim 67 recites the same subject matter as claim 1, although in the form of a computer-readable medium.

In this case, in the event a license to render content is not available as determined by the DRM system, the DRM system attempts to silently acquire the license from a license server without the intervention of a user, with the result again being that the user is thus not disturbed or disoriented by the sudden appearance of any browser. Only if the attempt to silently acquire the license fails, the DRM system allows a user to attempt to acquire the license from a license server by way of a browser hosted by the rendering application, such as was the case in claim 1 et seq.

Again, Applicants can find no specific disclosure in column 7, lines 22-64, column 66, lines 22-67, or elsewhere in the Downs reference that a Downs DRM system attempts to silently acquire a license from a license server without the intervention of a user, as is required by claim 14 et seq., or that if the attempt to silently acquire the license fails, the DRM system allows a user to attempt to acquire the license from a license server by way of a browser hosted by the rendering application, as is also required by claim 14 et seq.

Moreover, and again, the Downs reference would not disclose same inasmuch as the Down reference is not at all concerned with not disturbing or disorienting a user by the sudden appearance of any browser, or with incorporating the browser into the look, feel, interface, and experience of the rendering application such that the user is thus not disturbed or disoriented by the sudden appearance and disappearance of a strange and un-commanded browser, as is the case with the invention recited in claim 14 et seq. Thus, Applicants

respectfully submit that the Downs reference does not anticipate claim 14 et seq., including dependent claims thereof.

Independent claim 21 also recites a method of acquiring a digital license that authorizes rendering of corresponding digital content. Here again, the license is to be acquired upon a rendering application on a computing device requesting a digital rights management (DRM) system on the computing device for authorization for such rendering based on such license. In the method, the DRM system attempts to silently acquire the license from a license server without the intervention of a user, and the rendering application receives from the DRM system status information relating to the attempted license acquisition by the DRM system. The rendering application displays the received status information in a status display portion of the rendering application.

Independent claim 45 recites the same subject matter as claim 21, although in the form of a computing device, and independent claim 63 recites the same subject matter as claim 21, although with slightly different claim language.

In this case, in the event a license to render content is not available as determined by the DRM system, the DRM system attempts to silently acquire the license from a license server without the intervention of a user, such as was the case in claim 14 et seq. Here, the rendering application receives from the DRM system status information relating to the attempted license acquisition by the DRM system and displays same to the user in a status display portion of the rendering application so that the user is not left to wait without any indication of progress. Note, too , that by displaying the status information to the user in a status display portion of the rendering application, the status information may be incorporated into the look, feel, interface, and experience of the rendering application as before, and the user is thus not disturbed or disoriented by the sudden appearance of a strange and un-commanded status display portion.

Still again, Applicants can find no specific disclosure in column 7, lines 22-64, column 66, lines 22-67, or elsewhere in the Downs reference that a Downs DRM system attempts to silently acquire a license from a license server without the intervention of a user, as is required by claim 21 et seq., or that the rendering application receives from the DRM system status information relating to the attempted license acquisition by the DRM system

and displays same in a status display portion of the rendering application, as is also required by claim 21 et seq.

Moreover, and still again, the Downs reference would not disclose same inasmuch as the Down reference is not at all concerned with whether the user is left to wait without any indication of progress, or with incorporating such a status display portion browser into the look, feel, interface, and experience of the rendering application such that the user is thus not disturbed or disoriented by the sudden appearance of a strange and un-commanded status display portion, as is the case with the invention recited in claim 21 et seq. Thus, Applicants respectfully submit that the Downs reference does not anticipate claim 21 et seq., including dependent claims thereof.

To summarize, then, Applicants respectfully submit that the Downs reference does not anticipate claims 1-72 for the reason that such Downs reference does not disclose:

-        a rendering application that hosts a browser and causes the browser to navigate to a license server;

-        a hosting rendering application that shuts down the hosted browser upon receiving a license;

-        a DRM system that attempts to silently acquire a license from a license server without the intervention of a user;

-        a DRM system that allows a user to attempt to acquire the license from a license server by way of a browser hosted by the rendering application; or

-        a rendering application that receives from the DRM system status information relating to the attempted license acquisition by the DRM system and displays same in a status display portion of the rendering application.

Should the Examiner disagree, Applicants respectfully request that the Examiner identify specific locations in the Downs reference where such features are purportedly disclosed.
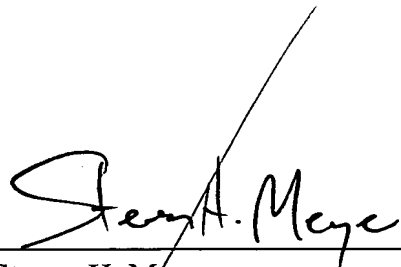
Accordingly, Applicants respectfully request reconsideration and withdrawal of the §102(e) rejection as it may be applied to claims 1-72.

In view of the foregoing amendment and discussion, Applicants respectfully submit that the present application including claims 1-72 is in condition for allowance, and such action is respectfully requested.

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